LAST! EDITION.

FRIDAY EVENING.

TOPEKA KANSAS, JULY 13, 1906.

FRIDAY EVENING,

TWO CENTS.

Judge Dana Finds for Treasurer in State Suit.

Doesn't Owe Anything for the Alleged Shortages.

### LOCK TO THE BROKERS

Admitted That They Got Missing Conpons.

Oklahoma Warrant Account Is Also Reviewed.

In the opinion handed down this ming by Judge Imon of the district not lubble for the \$19,000 shortage discovered in his office by the necoun Dana has Thursday and Friday, each stde having waived their right for

the coupons alleged to have been arts. Ity and township bonds when pur-chased by the state permanent school fund commission and by the loan com-missioner of the Astronhund college. With reference to this branch of the case the defense is except as to the city

the head from the bonds before they became the property of the state, and before they were delivered to the state treasurer, and consequently that the particular coupons, a failure to account for which defendant Kelly is charged berein, never came into his hands as state treasurer. This defense has been clearly established. The evidence shows that the coupons is described as the court in imposing a fine of the state in the course of the state court in imposing the state to it, they will get let down in the cause of Kansas city.

The writ was allowed on a petition from Mr. Rose in which he seeks to have the section of the state court in imposing a petition from Mr. Rose in which he seeks to have the section of the state court in imposing a petition from Mr. Rose in which he seeks to have the section of the state court in imposing a petition from Mr. Rose in which he seeks to have the section of the state court in imposing a petition from Mr. Rose in which he seeks to have the section of the state of the state

(I) In case of refunding bonds, by

ed by law from paying a premium, cor-tain coupens were detached before the bends become the property of the state, so that they could be purchased at par,

or. "(3) In cases, where in pravious ne-gotiations of the same bonds to other parties, certain coupons had been de-tached to cover brokerage or commis-

City and Township of Leroy. "These bonds were dated July 1, 1903; and issued by the city and township of Loroy to take up previous issues of bonds, and sold to the permanent school fund on or about August 27, 1900. The negotiations in this instance were direct with parties representing the city and township. When the bonds were purchased there were atlanted thereto all the interest coupons representing all the interest coupons representing

widence in this case, therefor show a faiture by Kelly to a range coupons, the property counting into his hands in

The Oklahoma Warrams,

contract existed between of Kansus and Oktahoma To pendentiary reindered quarte nears for said indebtedness forms Territory, whereupon we were issued in settlement of and when presented for p aume of these warrants were 6 per cent. These warrant hen delivered to defendant Ke

practically amounted promptly handled.

### ACTION IN ROSE CASE.

Justice Brewer Makes Order Stopping All Proceedings.

of the supreme court of the United States today allowed a writ of error to harder than ever."

to min his hands as the federal court review the action of the state court in imposing a fine of \$1000 upon him is contempt in becoming a candidate for mayor a second time after be had been ousted by the state court on a charge of failure to execute the state liquor law. The contempt verdict provided that Rose should be imprisoned if the fine was not paid within 20 days.

ne. after convening next October.

## JUMPED THE TRACK.

Train Derailed on Monon and One Person Killed.

Chicago, July 13.—The engine, express car and combination car of a Monon passenger train from Chein-nati, were detailed today south of Hammond, Ind. The engine imped the track between Fatr Oaks and Rose Lawn and ran into a ditch. The expairs to the viaduct.

The ways and means committee of the city council have all but formally remained to the committee of the city council have all but formally recombination car, though leaving the committee of the city council have all but formally recommended to the council that an election will be called for within a month. The special election will be called for within a month. The special election will be called for within a month. The special election will be called for the gross losses of 15 companies alone were \$15,000,000. The net losses are but \$45,000,000, which shows a reduction to the benefit of the companies on their ledgers. The ways and means committee of the city council have all but formally recommended to the council that an election will be called for within a month. The special election will be called for the gross losses of 15 companies alone were \$15,000,000. The net losses are but \$45,000,000, which shows a reduction to the benefit of the companies on their ledgers. The ways and means committee of the city council have all but formally recommended to the council that an election will be called for the gross losses of 15 companies alone were \$15,000,000. The net losses are but \$45,000,000, which shows a reduction to the benefit of the companies on their ledgers.

The ways and means committee of the reinsurance money to be recoived by \$25,000,000. The net losses are but \$45,000,000, which shows a reduction to the strength of the companies alone were \$15,000,000. The net losses are but \$45,000,000, which shows a reduction to the benefit of the companies alone were \$15,000,000. The net losses are but \$45,000,000. The net losses are but \$45,000,000.

Alleged Horsethlet is Finally Shot by

a Policeman.

East St. Louis, IR. July IS.—A man who gave the name of Frank Forest, when he tried to sell a horse today which he was soon after necessed of having stolen, was chassed through the streets by cowboys on bronches from the stock work and was should be the stock yards and was shot and kill-ed by Policeman William Voltz. Forest had opened fire on the officer.

Weather Indications. ends, to August 27, the date of pur-hase, and the date they received from use: Fair tonight and Saturday.

Dairy Interests of State Want a Commissioner.

Would Enforce Hules to Improve Grade of Butter.

ON THE DOWN GRADE.

Claimed Kansas Creamery Butter Is Deteriorating.

High Class Butter on Market Now Rare.

Dairy interests of the state may come before the next legislature with at the rate of ten miles an hour from a bill providing for the creation of a the north. state dairy commissioner, whose duty it will be to see that the creameries of the state place the highest possible grade of butter upon the market.

The duty of such a commissioner these warrants at any time would begin with the farmers and People of New Mexico Afraid to dairymen who supply the milk and cream to the creameries. He would have to see to it that the dairy cows are properly taken care of, that the our looks upon this as a cash best cattle for dairy purposes are utilized and that the milk is properly and cattle for milk is properly and cattle for milk is properly and promptly bendled

Owing to the fact that the dairymen

Washington, July 13.—Justice Brewer less, and if all interested parties do not

Speciff Lucias returned from Kansas City this morning where he went after Felix Dodson, who is charged with cutting Robert Cuthbert during a fight in South Topeka last Saturday evening. Immediately after the cutting Dodson left the city and the police have been watching for him to appear at the home of his mother in Kansas City, where he was captured last night. Cuthbert was stabled in the back and the wound at the time was not considered serious, but since then compilications have set in and it is not entirely improbable that the result may prove fatal.

Several places there are beds of ancient lava on the surface of the earth and one of the small towns on the Magdalena branch is called Lava because in its vicinity are many old lava beds.

Reports of these earthquakes were received from Mr. Etter, and he has started for the scene of them to make quent report on them.

LOSS STATEMENTS.

Thirty-five Insurance Companies Report on Frisco Fire.

my prove fatal.

SPECIAL ELECTION SOON.

People Will Then Decide About Repair of Vladuct.

Lawn and ran into a ditch. The express car turned completely over. The combination car, though leaving the track, did not upset. A passenger chash and two steepers which constituted the remainder of the train, remained on the rais. It is reported that one person was killed.

CHASED BY COWBOYS.

CHASED BY COWBOYS.

mention but what the people will be given an opportunity to decide whether hey want to incur the indebtedness.

The ways and means committee neet this evening but will not take up mything beyond the question of an appropriation for Marshall's hand. There is a popular clamor for this sup-cort and the council committee will lecide this evening.

The water users who are asking for an adjustment of the rates for sprink-ling lawns will be heard at a special meeting of the waterworks committee also scheduled this evening. The board of waterworks trustees and the water users who are protesting will be in atTHIS WAS AN IDEAL DAY.

emperature Reached 85 Degrees But Cool Wind Was Blowing.

Weather conditions were about as hear ideal today as it is possible for hem to be on a day in midsummer when the sun is blazing forth with its accustomed strength. A fine cool breeze biew from the north with the dawning of the day, which was bright and clear, and it continued all day. So that while the sun shone good and hot. that while the sun shone good and hot, the heat was not oppressive. As a matter of fact the atmosphere, hot as it was in the sun, was invigorating to a degree, the storm of Festerday afternoon, though it was a light one, having cleaned all the humidity out of the air. Indications are that fair weather, probably a trifle warmer, will prevail during the next few days.

Temperatures today were.

Temperatures today were.
7 o'clock.....68/11 o'clock.....80
8 o'clock.....71/12 o'clock.....82 o clock ..... 77 2 o clock ..... 85 The wind was blowing at 2 o clock

Enter Their Houses.

Nearly All Day Thursday Earthquake Shocks Continued.

marked that high class butter is very are on the market nowadays. A tip that will grade as high as 25 is the exception. Why is that true? It is due, almost entirely, to the poor cream received. The commission houses and large plants lost heavily on poor butter hat year, and the reason they are co-operating in the work of grading with have better or go out of business, and if all interested parties do not carry out the cream grading idea and silck to it, they will get let down harder than ever."

BRINGS DODSON BACK.

BRINGS DODSON BACK.

BARNA 10008 by the quake and rolled into a cut on the line near Clemow. This mass of stone was gotten out of the way with difficulty, and a little further on a three-ton rock was encountered which had rolled from the mountain into the cut. These rocks broke some ties and this was the extent of the damage done to the railroad's property by the quake. Outside of Socorro the most severe shocks were fell at Magdalena. There were three distinct shocks there and a number of chimneys were shaken down and the walls of many buildings who are working toward a common end, and each campaign brings to some excent of these earthquake by a great many who had been Republish.

port on Frisco Fire.

San Francisco, July 13.-The Call ppbishes today statements of 35 fire insur-ance companies doing business in this city which have been filed in the insurince department of New York. According to statements which have been aworn

## FRAUD WILL STAND.

Latest Attempt to Investigate Denver Election is Frustrated.

The Democratic Leader Says He Has Not Changed.

Unless It Is That He Has Grown More Radical.

NOTHING TO RETRACT.

He Is Still a Believer in Double Monetary Standard.

The Party Ranks Will Be Open to All Comers.

London, July 13.-William J. Bryan, having had the opportunity of reading American newspapers, consented to disuss some of the questions which have een raised since he has again become prominent as a presidential possibility.

some as conservative, and in order that there may be no misunderstanding on that subject, permit me to say that in one sense I always have been a conservative. The Democratic policies are conservative in that they embody old principles applied to new conditions. There was nothing new in principle in either Earthquakes of considerable force bowever, by the word conservative they

the distance and dispatch and d

number of chimneys down and the walls of many buildings cracked. The shocks feit at San Antonio and San Marcial were slight.

The seene of these earthquake shocks is in a region which gives every evidence of having been the home of active volcanoes in times past. In several places there are beds of ancient lava on the surface of the ancient lava on the surface of the door against them. I have no idea that the party will require tickets of admission in the coming campaign.

"I do not know that we can find a bet-

idea that the party will require fickets of admission in the coming campaign.

"I do not know that we can find a better plan than the Bible plan, which admits the eleventh hour comer to a place in the vineyard and to share the reward with those who began earlier. I think this sound politics as well as sound religion, provided the new recruit comes to work, and not interfere with the other laborers. But, of course, when an overseer has to be selected experisone cannot be left out of consideration. The worker who came late would, if honest, be too modest to assume an attitude of superiority over those who had tolled during the earlier hours. While the question is one of purpose, a man who recognizes the dangers that threaten our country and is anxious to avert them will not find it difficult to establish friendly relations with those who saw the danger at an earlier date."

Mr. Bryan added that he would discuss the trust, tariff, ralivead and labor questions, imperialism and other issues at length when he reached Americs.

### at length when he reached America. SALVADOR IS ROUTED.

Fighting Is Still Golng on Along the Guatemalan Border,

Washington, July 13.—A cablegram received at the state department from Minister Metry at San Salvador, states that continuous fighting is proceeding on the border line between Guatemala and Salvador; also that the Guatemalan troops have crossed the line into Hon-

day:
"Complete triumph of the Guatemshu army over Salvadorean invading forces. Salvadorean general in chief, Tomas Regalando, killed yesterday at Elificare."
At the instance of the state department the navy department today cabled to Commander Mulligan, of the Marbieles and Panama, to proceed immediates and Panama, to proceed immediates the postponement, because he expects to utilize the additional time to secure further depositions relating to the cattle head at Panams, to proceed immediately to La Libertad, on the coast of Salvador, to safeguard American interests.

NATIONAL LEAGUE TRADE.

Shannon and Shay Traded for Merte and Catcher Marshall.

St. Louis, July 12,—Announcement was made tast night by the St. Louis National league toam that Shannon and thay had been traded to the New York Nationals for Outfielder Mertes and

Shinnon is the local club's left fielder. Shap played shortstop last year, but white still under reservation by the St. under the still under reservation by the St. white still the Stockton, Cal. team, which ranchise he owns.

with the Stockton, Cal., team, which franchise he owns.
On form St. Louis has profited by the trade. Mettes participated in 150 games for New York hast year and finished the season with a batting average of 279, even points higher than Shannon. He was a terror on the bases and pilfered 52 sacks, taking fourth place among the base stealers. His helding was also good, and he closed the season with an average of 960.

Marshall's record, comparatively speaking, is equally as good. He did the bulk of the receiving for the Minneapolis team of the American Association, and clouded the ball at a 312 clip. He was well up in fielding with an average of 997.

Danny Shay in all probability will stay on the coast, where he is engaged in the coast, where he is engaged.

tominent as a presidential possibility. it is clearly the said:

"I notice that I am now described by Marshall for Shannon.

# MORE FORGED LETTERS

Man Arrested for Offering to Sell Evidence in Hartle Case.

Pittsburg, Pa., July 13,-Dr. Marshall Owing to the fact that the dairyman of the platforms on which I stood. If, do not fully understand the necessity of handling cream properly, it is said were prevalent the greater part of mean that I have changed my position pert who testified yesterday that some before any one had realized what was

resided here since that time. During most of his residence here he made a business of buying fees at the various courts of the city and was engaged in that work at the time of his death.

The deceased was a life long member of the Masonic lodge, having joined at an early age. He was a charter member of Lawrence lodge No. 2. The funeral will take place from the residence Sunday morning at 10 o'clock and will be in charge of the Masons. The body will be sent to Lawrence for burial in the family lot at that place. Mr. cood is survived by his wife and one son, Ed L. Good, who was at one time clerk of the city court and is now a clerk at the Throop hotel.

THIRTHOR TAROLICAL

## EVIDENCE ENOUGH.

Excelsior Springs Gamblers May Go to the Penitentiary.

Liberty, Ma., July 13.—A special grand jury here has indicted several keepers of gambling bouses who have operated at the watering resort at Excelsior Springs, and the prosecuting attorney has notified Governor Folk, at whose instigation the jury was called, that there is sufficient evidence to send a number of those indicted to the penitentiary.

Following the holding of the Democratic convention at Excelsior Springs in May last, the existence of gambling was then brought to the attention of the governor, who intimated to the county officials that it must stop.

WILL WAIT TILL SEPTEMBER.

Cattle and Implement Rate Cases to Be Again Postponed,

and Salvador; also that the Guatemalan troops have crossed the line into Honduras. This latter is understood here to be part of the Guatemalan attack on the fugitives of Regalado's army, after that lender was killed yesterday.

Senor Monzo, the Guatemalan minister here, today received the following cablegram from Secretary of State Barrios dated at Guatemala City yesterday:

"Complete triumph of the Complete tr attorneys came to figure out some other time to have the hearing, they found that comehody was to be absent from duty until the latter part of September. The board of commissioners announced that it was ready to hear the case at

ther depositions relating to the cattle

Esther Mitchell Fatally Shoots Slayer of Creffield.

"Holy Roller" Leader Met Death on Her Account.

JUST OUT OF JAIL.

Dead Man Was Acquitted of Murder Charge on Tuesday.

His Sister and Creffield's Widow Plotted Together.

Seattle, Wash, July 13.-Esther Mitchell shot and killed her brother, George Mitchell, in the waiting room of the union depot. The shot was fired just as Mitchell rose to take the evening train for Oregon. The brother, who was acquitted Tuesday of killing Franz Edmund Creffield, the leader of the Holy Rollers, dropped dead. Esther Mitchell was at once arrested.

The Mitchells, George, Perry and Fred, were sitting with Esther on a bench in the big waiting room, talking together and apparently on the best of terms. When the Oregon train was announced, George Mitchell rose and attacted forward. His aister stepped to

A client me forther the rath of the state of the content and t having attacked him about two years ago. This stroke left him in very feeble condition and unable to with stand the last attack which he received yesterday.

Mr. Good was born near Edwards-ville, Ill., in 1835, and was seventy years of age at his death. He came to Kansas in 1866 and settled in Lawrence. He engaged in the grocery business and continued his residence there for twenty-five years. In 1830, Mr. Good moved to Topeka and has resided here since that time. During most of his residence here he made a

> Scattle, Wash., July 13.—Immediately after the arrest of Esther Mitchell, the 1T-year-old girl who killed her brother here, Mrs. Maud Creffield, the widow of the prophet whose death at the hands of George Mitchell led to the tragedy, was inken to the station. She frankly admitted that she had entered into a compact with Eather to kill the slaver of her with Eather to kill the slayer of her husband. She will be held as an ac-

# PRIZE BABY SHOW.

complice.

250 Entries for Tonight's Baby Show at Big Tenth Theater.

At the Big Tent theater, corner Sixth avenue and Monroe street, there will be a prize haby show tonight. All nothers are requested to bring their hables. Entries can be made up to soils tonight at the tent. Those under 3 years of age will be admitted free to contest for prizes, which are as follows: First, \$5.00 in gold: second, \$3;

First, \$5.00 in gold; second, \$3; third, \$2.

A committee of ladies and gentlemen who have no interest in the babies except as speciators will act as judges on the health and beauty of the children. After the baby show H. D. Rucker's famous Korak Wender company will present the comody entitled "Mamma's Boy." The admission will be 15 cents. Tomorrow right the play will be "Pike County Falks," at 10 cents admission.

at 10 cents admission. Brynn Eats With Notables. on, July II. Secretary Ridley Car-the American embassy, and Mrs. gave a luncheon index in honor